

OPINION  
COMMONWEALTH OF PENNSYLVANIA  
vs.  
THADDEUS CRUMBLEY

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA

CRIMINAL DIVISION

VS.

CC 201202820

THADDEUS CRUMBLEY

MOTION FOR SHOWING OF PHOTO ARRAYS

Judge Beth A. Lazzara

Filed on Behalf of the Commonwealth of Pennsylvania

Counsel of Record for the Commonwealth of Pennsylvania

STEPHEN A. ZAPPALA, JR.  
DISTRICT ATTORNEY

By

Steven M. Stadtmiller  
Deputy District Attorney  
Pa. I.D. No. 53332

Office of the District Attorney  
of Allegheny County  
401 County Courthouse  
Pittsburgh, Pennsylvania 15219

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FILED

2012 JUL 18 AM 8:25

DEPT OF COURT RECORDS  
CRIMINAL DIVISION  
ALLEGHENY COUNTY PA

MOTION FOR SHOWING OF PHOTO ARRAYS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

AND NOW, comes the Commonwealth of Pennsylvania by its attorneys, STEPHEN A. ZAPPALA, JR., District Attorney of Allegheny County, and STEVEN M. STADTMILLER, Deputy District Attorney, and respectfully represents the following:

1. On May 16, 2011, Todd Mattox was shot and killed in the Leechburg Garden Apartment Complex, in the Penn Hills area of Allegheny County. Thaddeus Crumbley and Matthew Ebo have been arrested in connection with this shooting and charged with Criminal Homicide;

2. On May 16, 2011, Saday Robinson was interviewed as a potential witness in this case. At that time, Ms. Robinson indicated that she lived in an apartment in plain view of the shooting, that she had seen the entire incident, saw the two shooters, had seen them before on numerous occasions and would be able to identify them if she were to see them again;

3. On June 9, 2011, Asa Thompkins was arrested for being in possession of one of the guns used during the shooting death of Todd Mattox. On June 30, 2011, Ms. Robinson was shown a photo array containing a photo of Mr. Thompkins in relation to the shooting death of Todd Mattox. Ms. Robinson stated that she did

not recognize anyone in said photo array;

4. On September 16, 2011, Ms. Robinson was shown a photo array containing a photo of Thaddeus Crumbley, and stated that she did not recognize anyone in the array.

5. On October 6, 2011, Ms. Robinson was shown a photo array containing a photo of Matthew Ebo, and stated that she did not recognize anyone in the array;

6. The June 11, 2012 trial date on this case was postponed by the Commonwealth to allow additional time to locate witness Saday Robinson, the new trial date was scheduled on August 6, 2012;

7. Ms. Robinson has since been located in a distant state of the United States of America, where she is currently living. Due to her new residence and its great distance from Pittsburgh, she has indicated that she is no longer afraid to identify the people she saw shoot and kill Todd Mattox. She has indicated a willingness to, and an ability to identify the two shooters of Todd Mattox;

8. On July 9, 2012 (four weeks prior to trial), said willingness was made known to this Deputy District Attorney assigned to these cases, at which time arrangements were made to have the witness flown to Pittsburgh as soon as reasonably possible, with the intent of showing the photo arrays to the

witness again, to see if she could or would make any identification(s);

9. Efforts to arrange a meeting date and time with police and both counsel have not been successful due to attorney trial calendars and short notice;

10. It is necessary to have the witness during the viewing of photo arrays at a controlled and safe location, where the safety of the witness may be provided and the integrity of this ongoing investigation may be preserved, decreasing any chance of witness intimidation during this process. For that reason, the Homicide Detectives desire to show the photo arrays at their police office;

12. Both defense attorneys have indicated that they would be available on July 24, 2012 to be present for the viewing of photo arrays. Counsel for Mr. Ebo, Randall McKinney, Esquire, has indicated that he is available on July 24<sup>th</sup> and will be present, however, because he has a jury trial that day, he has requested that the meeting be held at 8:00 AM, so that it will not interfere with his trial. Flight and hotel arrangements have been made to have the witness in Pittsburgh Monday evening and Tuesday morning July 23 and July 24, 2012. For that reason, the time of 8:00 AM on July 24<sup>th</sup> is requested;

15. The Commonwealth urges that the interest of justice would be served, the safety of the witness guaranteed and the integrity of this ongoing investigation would be preserved if photo arrays of Thaddeus Crumbley, Mathew Ebo and Asa Thompkins be shown to witness Saday Robinson prior to the trial on this matter, said photo arrays to be shown with counsel for defendants present, on Tuesday, July 24, 2012 at 8:00 AM in the Allegheny County Police Headquarters, 400 Lexington Avenue.

WHEREFORE, based upon the foregoing, the Commonwealth respectfully requests that this Honorable Court enter an order requiring that photo arrays of Thaddeus Crumbley, Matthew Ebo and Asa Thompkins be shown to witness Saday Robinson prior to the trial in the above-captioned case. More specifically, it is requested that this Honorable Court enter an order directing that said photo arrays be shown to the witness at 8:00 AM on Tuesday July 24, 2012 at the Allegheny County Police Headquarters located at 400 Lexington Avenue.

Respectfully submitted,

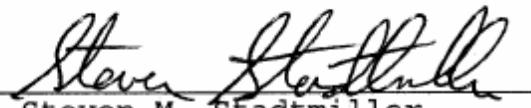
STEPHEN A. ZAPPALA, JR.  
DISTRICT ATTORNEY

By:

  
STEVEN M. STADTMILLER  
DEPUTY DISTRICT ATTORNEY

V E R I F I C A T I O N

I, Deputy District Attorney Steven M. Stadtmiller, the undersigned, do hereby declare that the statements of fact set forth in the foregoing motion are true and correct to the best of my knowledge, information and belief and are made subject to the penalties related to unsworn falsification to authorities under Section 4904 of the Pennsylvania Crimes Code, 18 Pa. C.S. §4904.

  
\_\_\_\_\_  
Steven M. Stadtmiller  
Deputy District Attorney

7-18-12

Date

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COMMONWEALTH OF PENNSYLVANIA

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PRELIMINARY ORDER

AND NOW, to-wit, this \_\_\_\_\_ day of \_\_\_\_\_, 2012, it is hereby ORDERED, ADJUDGED and DECREED that the Commonwealth's Motion for Motion for Showing of Photo Array filed in the above-captioned case shall be heard and disposed of on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, at \_\_\_\_\_ (AM) (PM) before the undersigned.

BY THE COURT:

\_\_\_\_\_

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ORDER OF COURT

AND NOW, to-wit, this \_\_\_\_\_ day of \_\_\_\_\_, 2012, it is hereby ORDERED, ADJUDGED and DECREED that photo arrays of the defendants in this case be shown to witness Saday Robinson prior to the trial in the above-captioned case.

It is further ORDERED that the showing of said photo arrays shall be conducted at the headquarters of the Allegheny County Police Department at 400 North Lexington Avenue, Pittsburgh, Pennsylvania, on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, at \_\_\_\_\_ (AM) (PM); and that the defendants' attorneys be permitted to attend and witness the showing to witness Saday Robinson of the photo array of their respective client.

BY THE COURT:

CERTIFICATE OF SERVICE

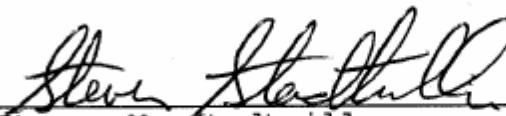
I hereby certify that, on this 18<sup>th</sup> day of July,  
2012, I have caused to be served upon the persons listed below a  
true and correct copy of the within motion.

Service by e-mail and first class mail addressed as follows:

Wendy Williams, Esquire  
Wendy L. Williams & Associates  
437 Grant Street, Suite 417  
Pittsburgh, PA 15219

Service by e-mail and first class mail addressed as follows:

Randall H. McKinney, Esquire  
429 Forbes Avenue, Suite 1400  
Pittsburgh, PA 15219

  
\_\_\_\_\_  
Steven M. Stadtmailler  
Deputy District Attorney